

BAKER & BOTTS LLP
FILE NO: RBH

A 33718

PCTUSL

COMBINED DECLARATION
AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A BEVERAGE

This declaration is of the following type:

- original
- design
- national stage of PCT
- divisional
- continuation
- continuation-in-part (C-I-P)

the specification of which: (*complete (a), (b), or (c)*)

- (a) is attached hereto
- (b) was filed on _____ as Application Serial No. _____ and was amended on _____ (*if applicable*)
- (c) was described and claimed in PCT International Application No. PCT/GB99/01551 filed on 14 MAY 1999 and was amended on _____ (*if applicable*)

Acknowledgement of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

- In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98..

Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(*complete (d) or (e)*)

- (d) no such applications have been filed
- (e) such applications have been filed as follows:

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PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
GREAT BRITAIN	9810309.6	15.05.98		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
GREAT BRITAIN	9828321.1	23.12.98		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
GREAT BRITAIN	9828317.9	23.12.98		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
GREAT BRITAIN	9901018.3	19.01.99		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below:

Provisional Application Number	Filing Date

Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America this is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (Patented, Pending, Abandoned)
(Application Serial No.)	(Filing Date)	(Status) (Patented, Pending, Abandoned)

Power of Attorney

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,539; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Brkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Schinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorely Reg. No. 32,439 and Rochelle K. Seide Reg. No. 32,300 of the firm of BAKER & BOTTS, L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER & BOTTS, L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	DIRECT TELEPHONE CALLS TO: BAKER & BOTTS, L.L.P. (212) 705-5000
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME <u>SCULLION</u>	FIRST NAME <u>SIMON</u>	MIDDLE NAME <u>DANIEL</u>
RESIDENCE & CITIZENSHIP	CITY <u>BURTON-ON-TRENT</u>	STATE or FOREIGN COUNTRY <u>GREAT BRITAIN GBN</u>	COUNTRY OF CITIZENSHIP <u>GREAT BRITAIN</u>
POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>25 Ratcliff Avenue, Bransford</u>	CITY <u>Burton-on-Trent, Staffordshire</u>	STATE or COUNTRY ZIP CODE <u>Great Britain DE13 3DA</u>
DATE	SIGNATURE OF INVENTOR <u>S. Scullion</u>		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME <u>FOSTER</u>	FIRST NAME <u>PETER</u>	MIDDLE NAME <u>THOMAS</u>
RESIDENCE & CITIZENSHIP	CITY <u>BURTON-ON-TRENT</u>	STATE or FOREIGN COUNTRY <u>GREAT BRITAIN GBN</u>	COUNTRY OF CITIZENSHIP <u>GREAT BRITAIN</u>
POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>8 Beowulf Court, Stretton</u>	CITY <u>Burton-on-Trent, Staffordshire,</u>	STATE or COUNTRY ZIP CODE <u>Great Britain DE13 0XR</u>
DATE	SIGNATURE OF INVENTOR <u>P. J. Foster</u>		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME <u>SMITH</u>	FIRST NAME <u>STEPHEN</u>	MIDDLE NAME <u>PAUL</u>
RESIDENCE & CITIZENSHIP	CITY <u>ASHBOURNE</u>	STATE or FOREIGN COUNTRY <u>GREAT BRITAIN GBN</u>	COUNTRY OF CITIZENSHIP <u>GREAT BRITAIN</u>
POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>37 Hollow Lane, Draycot-in-the-Clay</u>	CITY <u>Ashbourne, Derbyshire</u>	STATE or COUNTRY ZIP CODE <u>Great Britain DE6 5HQ</u>
DATE	SIGNATURE OF INVENTOR <u>S. Smith</u>		
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY ZIP CODE
DATE	SIGNATURE OF INVENTOR		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY ZIP CODE
DATE	SIGNATURE OF INVENTOR		